

ASSEMBLY, No. 2580

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED MARCH 22, 2010

Sponsored by:

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Permits counties and municipalities to withdraw from civil service system by ordinance.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT permitting counties and municipalities to rescind the
2 adoption of civil service by ordinance and supplementing Title
3 11A of the New Jersey Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The governing body of a county or municipality operating
9 under the provisions of Title 11A of the New Jersey Statutes may
10 rescind the adoption of Title 11A by ordinance; provided, however,
11 that an employee with permanent status in a title on the date
12 rescission takes effect shall retain all career service rights as long as
13 the employee remains in that title.

14
15 2. If the governing body of a county or municipality rescinds
16 the adoption of Title 11A of the New Jersey Statutes by ordinance,
17 the ordinance shall be certified by the clerk of the county or
18 municipality to the New Jersey Civil Service Commission. The
19 rescission shall take effect six months following passage of the
20 ordinance. The commission shall promulgate regulations providing
21 for the orderly transition in the personnel system of the county or
22 municipality during that six-month period. If a governing body
23 rejects an ordinance to rescind the adoption of Title 11A of the New
24 Jersey Statutes, a new vote by the governing body on an ordinance
25 shall not be held on the question for a period of at least five years
26 following the rejection of rescission.

27
28 3. A county or municipality which rescinds the adoption of the
29 provisions of Title 11A of the New Jersey Statutes shall not be
30 permitted to readopt the provisions of that title for a period of at
31 least five years from the effective date of the rescission and shall be
32 permitted to readopt the provisions of Title 11A of the New Jersey
33 Statutes only once. A readoption of the provisions of Title 11A,
34 pursuant to this section, shall be conducted in the same manner
35 provided for the adoption thereof contained in N.J.S.11A:9-1 et seq.

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37 4. This act shall take effect immediately.

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40 STATEMENT

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42 This bill permits counties and municipalities to withdraw from
43 the civil service system. It provides that the governing body of a
44 county or municipality operating under the provisions of Title 11A
45 (Civil Service) of the New Jersey Statutes may rescind the adoption
46 of Title 11A by ordinance; provided, however, that an employee
47 with permanent status in a title on the date rescission takes effect
48 will retain all career service rights as long as the employee remains

1 in that title.

2 If the governing body of a county or municipality rescinds the
3 adoption of Title 11A by ordinance, the rescission will take effect
4 six months following the passage of the ordinance. The New Jersey
5 Civil Service Commission will promulgate regulations providing
6 for the orderly transition in the personnel system of the county or
7 municipality during that six-month period.

8 If a governing body rejects an ordinance to rescind the adoption
9 of Title 11A of the New Jersey Statutes, a new vote by the
10 governing body on an ordinance will not be held on the question for
11 a period of at least five years following the rejection of rescission.

12 A county or municipality which rescinds the adoption of the
13 provisions of Title 11A of the New Jersey Statutes will not be
14 permitted to readopt the provisions of that title for a period of at
15 least five years from the effective date of the rescission and will be
16 permitted to readopt the provisions of Title 11A only once.